

CHAPTER 32

VIRGINIA POLLUTION ABATEMENT (VPA) PERMIT REGULATION

Part I

General

9VAC25-32-10. Definitions.

The following words and terms, when used in this chapter and in VPA permits issued under this chapter shall have the meanings defined in the State Water Control Law, unless the context clearly indicates otherwise and as follows:

"Best Management Practices (BMP)" means a schedule of activities, prohibition of practices, maintenance procedures and other management practices to prevent or reduce the pollution of state waters. BMP's include treatment requirements, operating and maintenance procedures, schedule of activities, prohibition of activities, and other management practices to control plant site runoff, spillage, leaks, sludge or waste disposal, or drainage from raw material storage.

"Board" means the Virginia State Water Control Board or State Water Control Board.

"Bypass" means intentional diversion of waste streams from any portion of a treatment works.

"Concentrated confined animal feeding operation" means an animal feeding operation at which:

1. At least the following number and types of animals are confined:

- a. 300 slaughter and feeder cattle;
- b. 200 mature dairy cattle (whether milked or dry cows);
- c. 750 swine each weighing over 25 kilograms (approximately 55 pounds);
- d. 150 horses;
- e. 3,000 sheep or lambs;
- f. 16,500 turkeys;
- g. 30,000 laying hens or broilers; or
- h. 300 animal units; and

2. Treatment works are required to store wastewater, or otherwise prevent a point source discharge of wastewater pollutants to state waters from the animal feeding operation except in the case of a storm event greater than the 25-year, 24-hour storm.

"Confined animal feeding operation" means a lot or facility together with any associated treatment works where the following conditions are met:

1. Animals have been, are, or will be stabled or confined and fed or maintained for a total of 45

days or more in any 12-month period; and

2. Crops, vegetation forage growth, or post-harvest residues are not sustained over any portion of the operation of the lot or facility.

"Department" means the Department of Environmental Quality.

"Director" means the Director of the Department of Environmental Quality, or an authorized representative.

"Discharge" means, when used without qualification, a discharge of a pollutant or any addition of any pollutant or combination of pollutants to state waters or waters of the contiguous zone or ocean other than discharge from a vessel or other floating craft when being used as a means of transportation.

"Draft VPA permit" means a document indicating the board's tentative decision to issue, deny, modify, revoke and reissue, terminate or reissue a VPA permit. A notice of intent to terminate a VPA permit and a notice of intent to deny a VPA permit are types of draft VPA permits. A denial of a request for modification, revocation and reissuance or termination is not a draft VPA permit.

"General VPA permit" means a VPA permit issued by the board authorizing a category of pollutant management activities.

"Land application" means the introduction of wastewaters or sludge into or onto the ground for treatment or reuse.

"Limitation" means any restriction imposed on quantities, rates or concentration of pollutants which are managed by pollutant management activities.

"Monitoring report" means forms supplied by the department for use in reporting of self-monitoring results of the permittee.

"Municipality" means a city, county, town, district association, authority or other public body created under the law and having jurisdiction over disposal of sewage, industrial, or other wastes.

"Nonpoint source" means a source of pollution, such as a farm or forest land runoff, urban storm water runoff or mine runoff that is not collected or discharged as a point source.

"Operator" means any individual employed or appointed by any owner, and who is designated by such owner to be the person in responsible charge, such as a supervisor, a shift operator, or a substitute in charge, and whose duties include testing or evaluation to control waterworks or wastewater works operations. Not included in this definition are superintendents or directors of public works, city engineers, or other municipal or industrial officials whose duties do not include the actual operation or direct supervision of waterworks or wastewater works.

"Overflow" means the unintentional discharge of wastes from any portion of a treatment works.

"Permittee" means an owner or operator who has a currently effective VPA permit issued by the board.

"Point source" means any discernible, defined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agricultural land.

"Pollutant" means any substance, radioactive material, or heat which causes or contributes to, or may cause or contribute to, pollution. It does not mean (i) sewage from vessels; or (ii) water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production and disposed of in a well, if the well is used either to facilitate production or for disposal purposes if approved by Department of Mines Minerals and Energy unless the board determines that such injection or disposal will result in the degradation of ground or surface water resources.

"Pollutant management activity" means a treatment works with a potential or actual discharge to state waters, but which does not have a point source discharge to surface waters.

"Privately owned treatment works (PVOTW)" means any sewage treatment works not publicly owned.

"Publicly owned treatment works (POTW)" means any sewage treatment works that is owned by a state or municipality. Sewers, pipes, or other conveyances are included in this definition only if they convey wastewater to a POTW providing treatment.

"Public hearing" means a fact-finding proceeding held to afford interested persons an opportunity to submit factual data, views, and arguments to the board.

"Schedule of compliance" means a schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with the federal Clean Water Act (33 USC 1251 et seq.), the law, and board regulations, standards and policies.

"Sewage sludge use or disposal" means the collection, storage, treatment, transportation, processing, monitoring, use, or disposal of sewage sludge.

"Sludge" means solids, residues, and precipitates separated from or created by the unit processes of a treatment works.

"State Water Control Law (law)" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

"Surface water" means:

1. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate "wetlands";
3. All other waters such as inter/intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or

foreign commerce including any such waters:

- a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
- b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
- c. Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as surface waters under this definition;
5. Tributaries of waters identified in subdivisions 1 through 4 of this definition;
6. The territorial sea; and
7. "Wetlands" adjacent to waters, other than waters that are themselves wetlands, identified in subdivisions 1 through 6 of this definition.

"Toxic pollutant" means any agent or material including, but not limited to, those listed under §307(a) of the Clean Water Act (33 USC §1317(a)) which after discharge will, on the basis of available information, cause toxicity. Toxicity means the inherent potential or capacity of a material to cause adverse effects in a living organism, including acute or chronic effects to aquatic life, detrimental effects on human health or other adverse environmental effects.

"Treatment facility" means only those mechanical power driven devices necessary for the transmission and treatment of pollutants (e.g., pump stations, unit treatment processes).

"Treatment works" means any devices and systems used for the storage, treatment, recycling or reclamation of sewage or liquid industrial waste, or other waste or necessary to recycle or reuse water, including intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, or alterations; and any works, including land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system used for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined sewer water and sanitary sewer systems.

"Twenty-five-year, 24-hour storm event" means the maximum 24-hour precipitation event with a probable recurrence interval of once in 25 years as established by the National Weather Service or appropriate regional or state rainfall probability information.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit limitations because of factors beyond the permittee's reasonable control. An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Virginia Pollution Abatement (VPA) permit" means a document issued by the board, pursuant to this chapter, authorizing pollutant management activities under prescribed conditions.

"Virginia Pollutant Discharge Elimination System (VPDES) permit" means a document issued by the board pursuant to 9VAC25-31-10 et seq., authorizing, under prescribed conditions, the potential or actual discharge of pollutants from a point source to surface waters.

"VPA application" means the standard form or forms approved by the board for applying for a VPA permit.

9VAC25-32-20. Purpose.

This regulation delineates the procedures and requirements to be followed in connection with VPA permits issued by the board pursuant to the State Water Control Law.

9VAC25-32-30. Requirements and prohibitions.

A. All pollutant management activities covered under a VPA permit shall maintain no point source discharge of pollutants to surface waters except in the case of a storm event greater than the 25-year, 24-hour storm.

B.1. Except in compliance with a VPA permit, or another permit issued by the board, it shall be unlawful for any person to:

a. Discharge into, or adjacent to, state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

b. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

2. Any person required to obtain a permit pursuant to this chapter who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of subdivision B 1 of this section; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of subdivision B 1 of this section shall notify the department of the discharge immediately upon discovery of the discharge and, in any event, no later than 24 hours after the discovery. A written report of the unauthorized discharge shall be submitted by the owner, to the department, within five days of discovery of the discharge.

a. The written report shall contain:

(1) A description of the nature of the discharge;

(2) The cause of the discharge;

(3) The date on which the discharge occurred;

(4) The length of time that the discharge continued;

- (5) The volume of the discharge;
- (6) If the discharge is continuing, how long it is expected to continue;
- (7) If the discharge is continuing, what the expected total volume of the discharge will be; and
- (8) Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by the permit.

b. Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

C. VPA permits may be utilized to authorize pollutant management activities including, but not limited to, animal feeding operations, storage or land application of sewage, sludge, industrial waste or other waste; or the complete reuse or recycle of wastewater. Point source discharges of pollutants to surface waters may be authorized by a VPDES permit (See 9VAC25-31-10 et seq., VPDES Permit Regulation).

D. No VPA permit shall be issued in the following circumstances:

- 1. Where the terms or conditions of the VPA permit do not comply with the applicable regulations or requirements of the law;
- 2. For the discharge of any radiological, chemical or biological warfare agent or high level radioactive material into state waters; or
- 3. For any pollutant management activity that is in conflict with any area-wide or basin-wide water quality control and waste management plan or policy established by the board pursuant to the law.

9VAC25-32-40. Exclusions.

The following do not require a VPA permit:

- 1. The introduction of sewage, industrial waste or other pollutants into publicly owned treatment works by indirect dischargers. Plans or agreements to switch to this method of disposal in the future do not relieve dischargers of the obligation to have and comply with VPA permits until all discharges of pollutants to state waters are eliminated;
- 2. Any introduction of pollutants from nonpoint source agricultural or silvicultural activities, including runoff from orchards, cultivated crops, pastures, range lands, and forest lands, except that this exclusion shall not apply to concentrated confined animal feeding operations;
- 3. Return flows from irrigated agricultural land;
- 4. Land disposal activity, including sewage sludge use or disposal or onsite waste treatment, when this activity is authorized by a state Department of Health permit or otherwise authorized by the Department of Environmental Quality; and

5. Discharges authorized by EPA under the Safe Drinking Water Act Underground Injection Control Program (UIC), 40 CFR Part 144, and approved, in writing, by the board.

9VAC25-32-50. Effect of a VPA permit.

A. Compliance with a VPA permit constitutes compliance with the VPA permit requirements of the law.

B. The issuance of a VPA permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights or any infringement of federal, state or local law or regulation.

Part II

Permit Application and Issuance

9VAC25-32-60. Application for a VPA permit.

A. Duty to apply. Any owner of a pollutant management activity who does not have an effective VPA permit, except persons covered by general VPA permits or excluded under 9VAC25-32-40, shall submit a complete application to the department in accordance with this section.

1.a. A complete VPA permit application shall be submitted by the owner of the pollutant management activity before a VPA permit can be issued. This item does not apply where general VPA permits are applicable.

b. The board may require the submission of additional information after an application has been filed, and may suspend processing of any application until such time as the owner has supplied missing or deficient information and the board considers the application complete. Further, when the owner becomes aware that he omitted one or more relevant facts from a VPA permit application, or submitted incorrect information in a VPA permit application or in any report to the department, he shall promptly submit such facts or the correct information.

2.a. Any owner proposing a new pollutant management activity shall submit an application for a VPA permit 180 days prior to the date planned for commencing erection, construction or expansion or employment of new processes at any site. There shall be no operation of said facilities prior to the issuance of a VPA permit.

b. Any owner with an existing pollutant management activity that has not been permitted shall submit an application within 60 days upon being requested to by the board. The board, after determining there is pollution occurring, may allow the construction of treatment works prior to permit issuance. There shall be no operation of said treatment works prior to permit issuance.

c. Owners currently managing pollutants who have effective VPA permits shall submit a new application 180 days prior to proposed facility expansions, production increases, or process modification which will:

(1) Result in significantly new or substantially increased amounts of pollutants being managed or a significant change in the nature of the pollutant management activity that was not anticipated and accounted for on the application for the effective VPA permit; or

(2) Violate or lead to violation of the terms and conditions of the effective VPA permit.

3. Pursuant to §62.1-44.15:3 of the Code of Virginia, no application for a VPA permit from a privately owned treatment works serving, or designed to serve, 50 or more residences shall be considered complete unless the applicant has provided the department with notification from the State Corporation Commission that the applicant is incorporated in the Commonwealth and is in compliance with all regulations and relevant orders of the State Corporation Commission.

B. Duty to reapply. Any permittee with an effective VPA permit shall submit a new application at least 180 days before the expiration date of the effective VPA permit unless permission for a later date has been granted by the board. Permission shall not be granted to submit an application later than the expiration date of the existing VPA permit.

C. Information requirements. All applicants for VPA permits shall provide information in accordance with forms provided by the department.

9VAC25-32-70. Signatory requirements.

Any application, report, including monitoring reports, or certifications shall be signed as follows:

1. Application.

a. For a corporation: by a responsible corporate official. For purposes of this section, a responsible corporate official means (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a municipality, state, federal or other public agency by either a principal executive officer or ranking elected official. (A principal executive officer of a federal, municipal, or state agency includes the chief executive officer of the agency or head executive officer having responsibility for the overall operation of a principal geographic unit of the agency.)

c. For a partnership or sole proprietorship, by a general partner or proprietor, respectively.

2. Reports. All reports required by VPA permits and other information requested by the board shall be signed by:

a. One of the persons described in subdivision 1 of this section; or

b. A duly authorized representative of that person. A person is a duly authorized representative

only if:

(1) The authorization is made in writing by a person described in subdivision 1 of this section; and

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

(3) If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the department prior to or together with any separate information, or applications to be signed by an authorized representative.

3. Certification. Any person signing a document under subdivision 1 or 2 of this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

9VAC25-32-80. Conditions applicable to all VPA permits.

A. Duty to comply. The permittee shall comply with all conditions of the VPA permit. Any permit noncompliance is a violation of the law, and is grounds for enforcement action, permit termination, revocation, modification, or denial of a permit renewal application.

B. Duty to halt or reduce activity. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the VPA permit.

C. Duty to mitigate. The permittee shall take all reasonable steps to minimize, correct or prevent any pollutant management activity in violation of the VPA permit which has a reasonable likelihood of adversely affecting human health or the environment.

D. Proper operation and maintenance. The permittee shall be responsible for the proper operation and maintenance of all treatment works, systems and controls which are installed or used to achieve compliance with permit conditions. Proper operation and maintenance includes effective plant performance, adequate funding, adequate licensed operator staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures.

E. Permit action.

1. A VPA permit may be modified, revoked and reissued, or terminated as set forth in this chapter.
2. If a permittee files a request for a permit modification, revocation, or termination, or files a notification of planned changes, or anticipated noncompliance, the permit terms and conditions shall remain effective until the request is acted upon by the board. This provision shall not be used to extend the expiration date of the effective VPA permit.
3. VPA permits may be modified, revoked and reissued or terminated upon the request of the permittee or interested persons, or upon the board's initiative, to reflect the requirements of any changes in the statutes or regulations.
4. VPA permits continued under 9VAC25-32-130 remain effective and enforceable.

F. Inspection and entry. Upon presentation of credentials, any duly authorized agent of the board may, at reasonable times and under reasonable circumstances:

1. Enter upon any permittee's property, public or private, and have access to records required by the VPA permit;
2. Have access to, inspect and copy any records that must be kept as part of VPA permit conditions;
3. Inspect any facility's equipment (including monitoring and control equipment) practices or operations regulated or required under the VPA permit; and
4. Sample or monitor any substances or parameters at any locations for the purpose of assuring VPA permit compliance or as otherwise authorized by law.

G. Duty to provide information.

1. The permittee shall furnish to the department, within a reasonable time, any information which the board may request to determine whether cause exists for modifying, revoking and reissuing, terminating the VPA permit, or to determine compliance with the VPA permit. The permittee shall also furnish to the department, upon request, copies of records required to be kept by the permittee.
2. Plans, specifications, maps, conceptual reports and other relevant information shall be submitted as requested by the board prior to commencing construction.

H. Monitoring and records.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the VPA permit, and records of all data used to complete the application for the VPA permit, for a period of at least three years from the date of

the sample, measurement, report or application. This period may be extended by request of the board at any time.

3. Records of monitoring information shall include:

- a. The date, exact place and time of sampling or measurements;
- b. The name of the individual or individuals who performed the sampling or measurements;
- c. The date or dates analyses were performed;
- d. The name of the individual or individuals who performed the analyses;
- e. The analytical techniques or methods supporting the information such as observations, readings, calculations and bench data used; and
- f. The results of such analyses.

4. Monitoring shall be conducted according to analytical methods promulgated pursuant to §304(h) of the Clean Water Act (33 USC §1251 et seq.) and listed in the Code of Federal Regulations at 40 CFR Part 136 (1995). Any other acceptable test procedure not listed in 40 CFR Part 136 (1995) shall be specified in the VPA permit.

I. Reporting requirements.

1. The permittee shall give prompt notice to the department of any planned changes to the design or operation of the pollutant management activity.

2. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the owner shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with subdivision 6 of this subsection. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

- a. Unusual spillage of materials resulting directly or indirectly from processing operations;
- b. Breakdown of processing or accessory equipment;
- c. Failure or taking out of service of some or all of the treatment works; and
- d. Flooding or other acts of nature.

3. The permittee shall give at least 10 days advance notice to the department of any planned changes to the facility or activity which may result in noncompliance.

4. Monitoring results shall be reported at the intervals specified in the applicable VPA permit.

- a. Monitoring results shall be reported in a format acceptable to the board.

b. If a permittee monitors the pollutant management activity, at a sampling location specified in the VPA permit, for any pollutant more frequently than required by the VPA permit using approved analytical methods, the permittee shall report the results of this monitoring on the monitoring report.

c. If the permittee monitors the pollutant management activity, at a sampling location specified in the VPA permit, for any pollutant that is not required to be monitored by the VPA permit, and uses approved analytical methods the permittee shall report the results with the monitoring report.

d. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the VPA permit.

5. Reports of compliance or noncompliance with or any progress report on interim and final requirements contained in any compliance schedule in the VPA permit shall be submitted no later than 14 days following each scheduled date.

6. 24-hour reporting.

a. The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health. An oral report must be provided as soon as possible, but in no case later than 24 hours from the time the permittee becomes aware of the circumstances. A written report shall be submitted within five days and shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and, if the noncompliance has not been corrected, how long it is expected to continue, steps planned or taken to reduce, eliminate and prevent a recurrence of the noncompliance. The board may waive the written report requirements on a case-by-case basis if the oral report has been received within 24 hours and no adverse impact on state waters has been reported. All other noncompliance reports which may not adversely affect state waters shall be submitted with the monitoring report. Reports shall include overflows.

b. The following shall be included as information which must be reported within 24 hours under this subdivision:

(1) Any unanticipated bypass; and

(2) Any upset which causes a discharge to surface waters.

J. Bypass.

1. A bypass of the treatment works is prohibited except as provided herein.

2. If the permittee knows in advance of the need for a bypass, he shall notify the department promptly at least 10 days prior to the bypass. After considering its adverse effects, the board may approve an anticipated bypass if:

a. The bypass will be unavoidable to prevent loss of human life, personal injury, or severe property damage ("severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of

a bypass. Severe property damage does not mean economic loss caused by delays in production); and

b. There are no feasible alternatives to bypass such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. However, if bypass occurs during normal periods of equipment downtime or preventive maintenance and in the exercise of reasonable engineering judgment the permittee could have installed adequate backup equipment to prevent such bypass, this exclusion shall not apply as a defense.

3. If an unplanned bypass occurs, the permittee shall notify the department as soon as possible, but in no case later than 24 hours, and shall take steps to halt the bypass as early as possible. This notification will be a condition for defense to an enforcement action that an unplanned bypass met the conditions in subdivision 2 of this subsection and in light of the information reasonably available to the owner at the time of the bypass.

K. Upset. A permittee may claim an upset as an affirmative defense to an action brought for noncompliance. In any enforcement proceedings a permittee shall have the burden of proof to establish the occurrence of any upset. In order to establish an affirmative defense of upset, the permittee shall present properly signed, contemporaneous operating logs or other relevant evidence that shows:

1. That an upset occurred and that the cause can be identified;
2. That the permitted facility was at the time being operated efficiently and in compliance with proper operation and maintenance procedures;
3. That the 24-hour reporting requirements to the department were met; and
4. That the permittee took all reasonable steps to minimize or correct any adverse impact on state waters resulting from noncompliance with the VPA permit.

L. Signature requirements. All applications, reports, or information submitted to the department shall be signed and certified as required in 9VAC25-32-70.

M. Transfers. A VPA permit is not transferable to any person except after notice to the department according to 9VAC24-32-230. The board may require modification or revocation and reissuance of the VPA permit to change the name of the permittee and incorporate such other requirements as may be necessary.

9VAC25-32-90. Conditions applicable to publicly or privately owned sewage treatment works.

A. Publicly or privately owned sewage treatment works shall provide adequate notice to the department of any substantial change in quantity or quality of pollutants being introduced into the privately or publicly owned sewage treatment works and any anticipated impact the change may have on such treatment works.

B. When the monthly average flow influent to a POTW or PVOTW reaches 95% of the design

capacity authorized by the VPA permit for each month of any consecutive three-month period, the owner shall within 30 days notify the department in writing and within 90 days submit a plan of action for ensuring continued compliance with the terms of the VPA permit.

1. The plan shall include the necessary steps and a prompt schedule of implementation for controlling any current problem, or any problem which could reasonably be anticipated, resulting from high influent flows.

2. Upon receipt of the owner's plan of action, the board shall notify the owner whether the plan is approved or disapproved. If the plan is disapproved, such notification shall state the reasons and specify the actions necessary to obtain approval of the plan.

3. Failure to submit an adequate plan in a timely manner shall be deemed a violation of the VPA permit.

C. Nothing herein shall in any way impair the authority of the board to take enforcement action under §62.1-44.15, §62.1-44.23, or §62.1-44.32 of the Code of Virginia.

9VAC25-32-100. Establishing limitations and other VPA permit conditions.

In addition to the conditions established in 9VAC25-32-80 and 9VAC25-32-90, each VPA permit shall include conditions meeting the following requirements where applicable.

1. Determination of limitations. VPA permit limitations and conditions shall be established based on the nature of the pollutant management activity in order to ensure compliance with technology-based limitations, water quality standards, the law and all regulations promulgated thereunder. These limitations and conditions may include, but are not limited to, duration of VPA permits, monitoring requirements, limitations to control toxic pollutants, best management practices and schedules of compliance.

2. Duration of VPA permits. VPA permits issued under this regulation shall have an effective date and an expiration date which will determine the life of the VPA permit. VPA permits shall be effective for a fixed term not to exceed 10 years as specified in the VPA permit. The term of the VPA permits shall not be extended by modification beyond the maximum duration. The VPA permit shall expire at the end of the term unless an application for a new VPA permit has been timely filed as required by this chapter and the board is unable, through no fault of the permittee, to issue a new VPA permit before the expiration date of the previous VPA permit.

3. Monitoring requirements.

- a. All VPA permits may specify:

- (1) Requirements concerning the proper use, maintenance and installation, when appropriate, of monitoring equipment or methods;

- (2) Required monitoring including type, intervals, and frequency sufficient to yield data which are representative of the monitored activity and including, when appropriate, continuous monitoring; and

(3) Applicable reporting requirements based upon the impact of the regulated activity on water quality.

b. VPA permits may include requirements to report monitoring results with a frequency dependent on the nature and effect of the pollutant management activity.

c. In addition, the following monitoring requirements may be included in the VPA permits:

(1) Mass or other measurements specified in the VPA permit for each pollutant of concern;

(2) The volume of waste, wastewater or sludge managed by the activity; and

(3) Other measurements as appropriate.

4. Best Management Practices (BMPs). The VPA permit shall require the use of BMPs to control or abate pollutants where numeric limits are infeasible, and the VPA permit may include BMPs in addition to numeric limits where BMPs are necessary to achieve limitations and standards or to carry out the purpose and intent of the law.

5. Sludge disposal. The VPA permit shall include, where appropriate, specific requirements for disposal of all sludge.

6. Schedules of compliance. The VPA permit may specify a schedule, when appropriate, leading to compliance with the VPA permit as soon as possible. When schedules of compliance are applicable the following shall be incorporated:

a. Schedule or schedules of compliance shall require the permittee to take specific steps where necessary to achieve expeditious compliance with the VPA permit;

b. The schedule of compliance shall set forth interim time periods not more than one year apart for the submission of reports of progress toward completion of each requirement; and

c. Schedule or schedules of compliance may be modified by modification of the VPA permit for good cause beyond the control of the permittee (e.g., act of God, strike, flood, material shortage).

9VAC25-32-110. Draft VPA permit formulation.

A. Upon receipt of a complete application, the board shall make a decision to tentatively issue the VPA permit or deny the application. If a tentative decision is to issue the VPA permit then a draft VPA permit shall be prepared in advance of public notice. The following tentative determinations shall be incorporated into a draft VPA permit:

1. Conditions, limitations, standards and other requirements applicable to the VPA permit;

2. Compliance schedules where applicable; and

3. Monitoring requirements.

B. If the tentative decision is to deny the application, the board shall advise the owner of that

decision and of the requirements necessary to obtain approval. The owner may withdraw the application prior to board action. If the application is not withdrawn or modified to contain conditions necessary for tentative approval to issue, the board shall provide public notice and opportunity for a public hearing prior to board action on a recommendation to deny the application.

C. This section does not apply to requests for coverage under a general VPA permit.

9VAC25-32-120. Fact sheet.

A. A fact sheet shall be prepared to accompany all draft VPA permits. These fact sheets shall be made available to the public upon request.

B. The fact sheet shall include:

1. A brief description of the pollutant management activity to be permitted;
2. An explanation of the statutory or regulatory provisions on which the VPA permit requirements are based;
3. Calculations or other necessary explanations of the derivation of the VPA permit conditions or limitations;
4. The location of each pollutant management activity;
5. The reasons for any requested modifications;
6. A description of the procedures and sequence of events for reaching the final decision; and
7. The name and telephone number of a person to contact for additional information.

9VAC25-32-130. Continuation of expiring VPA permits.

A. Expiring VPA permits are automatically continued pending issuance of a new VPA permit if:

1. The permittee has submitted a timely and complete application as required by this chapter, unless the board has given permission for a later submittal, which shall not extend beyond the expiration date of the original VPA permit; and
2. The board is unable, through no fault of the permittee, to issue a new VPA permit before the expiration date of the previous VPA permit.

B. Continued VPA permits remain effective and enforceable against the permittee.

Part III

Public Involvement

9VAC25-32-140. Public notice of VPA permit action and public comment period.

A. Every draft VPA permit shall be given public notice, paid for by the owner, by publication once a week for two successive weeks in a newspaper of general circulation in the area affected by the pollutant management activity.

B. Interested persons shall have a period of at least 30 days following the date of the initial newspaper public notice to submit written comments on the tentative decision and to request a public hearing.

C. The contents of the public notice of an application for a VPA permit shall include:

1. The name and address of the applicant. If the location of the pollutant management activity differs from the address of the applicant the notice shall also state the location of the pollutant management activity including storage and land application sites;

2. A brief description of the business or activity conducted at the facility;

3. A statement of the tentative determination to issue or deny a VPA permit;

4. A brief description of the final determination procedure;

5. The address and phone number of a specific person at the state office from whom further information may be obtained; and

6. A brief description of how to submit comments and request a hearing.

D. Public notice shall not be required for submission or approval of plans and specifications or conceptual engineering reports not required to be submitted as part of the application.

E. Upon receipt of an application for a permit or for a modification of a permit, the board shall cause to be notified, in writing, the locality wherein the pollutant management activity does or is proposed to take place. This notification shall, at a minimum, include:

1. The name of the applicant;

2. The nature of the application and proposed pollutant management activity; and

3. Upon request, any other information known to, or in the possession of, the board or the department regarding the application except as restricted by 9VAC25-32-150.

F. Before issuing any permit, if the board finds that there are localities particularly affected by the permit, the board shall:

1. Publish, or require the applicant to publish, a notice in a local paper of general circulation in the localities affected at least 30 days prior to the close of any public comment period. Such notice shall contain a statement of the estimated local impact of the proposed permit, which at a minimum shall include information on the specific pollutants involved and the total quantity of each which may be discharged; and

2. Mail the notice to the chief elected official and chief administrative officer and planning district commission for those localities.

Written comments shall be accepted by the board for at least 15 days after any public hearing on the permit, unless the board votes to shorten the period. For the purposes of this section, the term "locality particularly affected" means any locality which bears any identified disproportionate material water quality impact which would not be experienced by other localities.

9VAC25-32-150. Public access to information.

A. Any secret formulae, secret processes, or secret methods other than effluent data submitted to the department pursuant to this chapter may be claimed as confidential by the submitter pursuant to §62.1-44.21 of the Code of Virginia. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "secret formulae, secret processes or secret methods" on each page containing such information. If no claim is made at the time of submission, the department may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in the Virginia Freedom of Information Act (§2.1-340 et seq. of the Code of Virginia) and §62.1-44.21 of the Code of Virginia.

B. Claims of confidentiality for the following information will be denied:

1. The name and address of any permit applicant or permittee; and
2. Permit applications, permits, and effluent data.

C. Information required by VPDES application forms provided by the department may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

9VAC25-32-160. Conditions requested by other government agencies.

If during the comment period any other state agency with jurisdiction over fish, wildlife, or public health advises the department in writing that the imposition of specified conditions upon the VPA permit is necessary to avoid substantial impairment of human health or of fish, shellfish, or wildlife resources, the board shall consider the inclusion of the specified conditions in the VPA permit. If any conditions requested are not included in the VPA permit, the agency making the request shall be notified of the reasons for not including the conditions.

9VAC25-32-170. Public comments and hearings.

A. A comment period of at least 30 days following the initial date of the newspaper public notice of the formulation of a draft VPA permit shall be provided. During this period any interested

persons may submit written comments on the draft VPA permit and may request a public hearing. A request for a public hearing shall be in writing and shall state the nature of the issues to be raised pursuant to the board's Procedural Rule No. 1 (9VAC25-230-10 et seq.), or its successor. All comments shall be considered by the board in preparing the final VPA permit and shall be responded to in writing.

B. The board may hold a public hearing on any permit action. The board shall hold a public hearing where there is a significant degree of public interest relevant to a draft VPA permit. Public notice of that hearing shall be given as specified in 9VAC25-32-180. Nothing in this subsection shall relieve the board of the requirement to hold a hearing where a hearing is required by applicable law or regulation.

C. Any hearing convened pursuant to this section will be held in the geographical area of the proposed pollutant management activity, or in another appropriate area. Related groups of VPA permit applications may be considered at any such hearing.

D. If changes are made to the VPA permit based on public comments, the permittee and all persons who commented will be notified of the changes and the reasons for the changes. No further public notice is required.

E. Any owner aggrieved by any action of the board taken without a formal hearing, or by inaction of the board, may demand in writing a formal hearing pursuant to §62.1-44.25 of the Code of Virginia.

F. Proceedings at, and the decision from, the public hearing will be governed by the board's Procedural Rule No. 1 (9VAC25-230-10 et seq) or its successor.

9VAC25-32-180. Public notice of hearing.

A. Public notice of any hearing held pursuant to 9VAC25-32-170 shall be circulated as follows:

1. Notice shall be published once in a newspaper of general circulation in the county or city where the pollutant management activity is to occur; and
2. Notice of the hearing shall be sent to all persons and government agencies which received a copy of the notice of the VPA permit application.

B. Notice shall be effected pursuant to subsection A of this section at least 30 days in advance of the hearing.

C. The content of the public notice of any hearing held pursuant to 9VAC25-32-170 shall include at least the following:

1. Name and address of each owner whose application will be considered at the hearing and a brief description of the owner's pollutant management activities or operations;
2. A brief reference to the public notice issued for the VPA permit application, including identification number and date of issuance unless the public notice includes the hearing notice;

3. Information regarding the time and location for the hearing;
4. The purpose of the hearing;
5. A concise statement of the issues raised by the persons requesting the hearing;
6. The name of a contact person and the address at which interested persons may obtain further information, request a copy of the draft VPA permit prepared pursuant to 9VAC25-32-110, request a copy of the fact sheet prepared pursuant to 9VAC25-32-120 and inspect or arrange for receipt of copies of forms and related documents; and
7. A brief reference to the rules and procedures to be followed at the hearing.

Part IV

Operator Requirements

9VAC25-32-190. Operator requirements.

A. The permittee shall employ or contract at least one operator who holds a current wastewater license appropriate for the permitted facility, if required by the VPA permit. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the Board for Waterworks and Wastewater Works Operators (18VAC160-20-10 et seq.). Notwithstanding the foregoing requirement, unless the pollutant management activity is determined by the board on a case-by-case basis to be a potential contributor of pollution, no licensed operator is required for wastewater treatment works:

1. That have a design hydraulic capacity equal to or less than 0.04 million gallons per day;
2. That discharge industrial waste or other waste from coal mining operations; or
3. That do not utilize biological or physical/chemical treatment.

B. In making this case-by-case determination, the following shall be considered:

1. The location of the pollutant management activity with respect to state waters;
2. The size of the pollutant management activity;
3. The quantity and nature of pollutants reaching state waters; and
4. The treatment methods used at the treatment works.

C. The permittee shall notify the department in writing whenever he is not complying, or has grounds for anticipating he will not comply, with the requirements of subsection A of this section. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.

Part V

Permit Modification, Revocation and Reissuance, and Termination

9VAC25-32-200. Modification, revocation and reissuance, and termination.

- A. VPA permits shall be modified, revoked and reissued, or terminated only as authorized by this section.
- B. A VPA permit may be modified in whole or in part, revoked and reissued, or terminated.
- C. VPA permit modifications shall not be used to extend the term of a VPA permit.
- D. Modification, revocation and reissuance, or termination of VPA permit may be initiated by the board, interested persons, or permittee under applicable provisions of this chapter.
- E. An updated VPA permit application may be required in order to modify or revoke and reissue a VPA permit.

9VAC25-32-210. Causes for termination.

A. The following are causes for terminating a VPA permit during its term, or for denying a VPA permit renewal application, after public notice and opportunity for a public hearing:

1. The permittee has violated any regulation or order of the board, any condition of a VPA permit, any provision of the law, or any order of a court, where such violation results in a release of harmful substances into the environment or poses a substantial threat of release of harmful substances into the environment or presents a hazard to human health or the violation is representative of a pattern of serious or repeated violations which, in the opinion of the board, demonstrates the permittee's disregard for or inability to comply with applicable laws, regulations or requirements;
2. The permittee's failure to disclose fully all relevant material facts, or the permittee's misrepresentation of any relevant material facts in applying for a VPA permit, or in any other report or document required under the law or this chapter;
3. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by VPA permit modification or termination; or
4. There exists a material change in the basis on which the VPA permit was issued that requires either a temporary or a permanent reduction or elimination of any pollutant management activity controlled by the VPA permit necessary to protect human health or the environment.

B. A VPA permit may be terminated without public notice and opportunity for a hearing when the termination is mutually agreed to by the permittee and the board.

9VAC25-32-220. Causes for modification.

A VPA permit may be modified, but not revoked and reissued, except when the permittee agrees or requests, when any of the following developments occur:

1. When additions or alterations have been made to the affected facility which require the application of VPA permit conditions that differ from those of the existing VPA permit or are absent from it;
2. When new information becomes available about the operation or pollutant management activity covered by the VPA permit which was not available at VPA permit issuance and would have justified the application of different VPA permit conditions at the time of VPA permit issuance;
3. When a change is made in the promulgated standards or regulations on which the VPA permit was based; or
4. When it becomes necessary to change final dates in compliance schedules due to circumstances over which the permittee has little or no control such as acts of God, materials shortages, etc.

9VAC25-32-230. Transfer of VPA permits.

A. Transfer by modification. Except as provided for under automatic transfer in subsection B of this section, a VPA permit shall be transferred only if the VPA permit has been modified to reflect the transfer or has been revoked and reissued to the new owner.

B. Automatic transfer. Any VPA permit shall be automatically transferred to a new owner if:

1. The current owner notifies the department 30 days in advance of the proposed transfer of the title to the facility or property;
2. The notice to the department includes a written agreement between the existing and proposed new owner containing a specific date of transfer of VPA permit responsibility, coverage and liability between them; and
3. The board does not within the 30-day time period notify the existing owner and the proposed owner of its intent to modify or revoke and reissue the VPA permit.

9VAC25-32-240. Minor modification.

A. Upon request of the permittee, or upon board initiative with the consent of the permittee, minor modifications may be made in the VPA permit without following the public involvement procedures.

B. Minor modification may only:

1. Correct typographical errors;

2. Require reporting by the permittee at a frequency other than that required in the VPA permit;
3. Change an interim compliance date in a schedule of compliance to no more than 120 days from the original compliance date and provided it will not interfere with the final compliance date;
4. Allow for a change in name, ownership or operational control when the board determines that no other change in the VPA permit is necessary, provided that a written agreement containing a specific date for transfer of VPA permit responsibility, coverage and liability from the current to the new permittee has been submitted to the department;
5. Delete the listing of a land application site when the pollutant management activity is terminated and does not result in an increase of pollutants which would exceed VPA permit limitations;
6. Reduce VPA permit limitations to reflect a reduction in the permitted activity when such reduction results from a shutdown of processes or pollutant generating activities or from connection of the permitted activity to a POTW;
7. Change plans and specifications where no other changes in the VPA permit are required;
8. Authorize treatment facility expansions, production increases or process modifications which will not cause a significant change in the quantity of pollutants being managed or a significant change in the nature of the pollutant management activity; or
9. Delete VPA permit limitation or monitoring requirements for specific pollutants when the activities generating these pollutants are terminated.

Part VI

Special Programs

9VAC25-32-250. Confined animal feeding operations.

A. All confined animal feeding operations shall maintain no point source discharge of pollutants to surface waters except in the case of a storm event greater than the 25-year, 24-hour storm. Concentrated confined animal feeding operations are pollutant management activities subject to the VPA permit program. Two or more confined animal feeding operations under common ownership are considered, for the purposes of this regulation, to be a single confined animal feeding operation if they adjoin each other or if they use a common area or system for the disposal of wastes.

B. Case-by-case designation of concentrated confined animal feeding operations.

1. The board may designate any confined animal feeding operation which does not fall under the definition of concentrated confined animal feeding operation as defined in 9VAC25-20-10 upon determining that it is a potential or actual contributor of pollution to state waters. In making this designation the following factors shall be considered:

- a. The size of the operation;
 - b. The location of the operation relative to state waters;
 - c. The means of conveyance of animal wastes and process waters into state waters;
 - d. The slope, vegetation, rainfall, and other factors affecting the likelihood or frequency of discharge of animal wastes and process waste waters into state waters;
 - e. The means of storage, treatment, or disposal of animal wastes; and
 - f. Other relevant factors.
2. A VPA permit application shall not be required for a concentrated confined animal feeding operation designated under subdivision 1 of this subsection until the board has conducted an on-site inspection of the operation and determined that the operation shall be regulated under the VPA permit program.

9VAC25-32-260. General VPA permits.

The board may issue a general VPA permit in accordance with the following:

1. Sources. A general VPA permit may be written to regulate a category of pollutant management activities that:
 - a. Involve the same or similar types of operations;
 - b. Manage the same or similar types of wastes;
 - c. Require the same VPA permit limitations or operating conditions;
 - d. Require the same or similar monitoring; and
 - e. In the opinion of the board, are more appropriately controlled under a general VPA permit than under individual VPA permits.
2. Administration.
 - a. General VPA permits will be issued, modified, revoked and reissued, or terminated pursuant to the law and the board's Public Participation Guidelines (9VAC25-10-10 et seq.).
 - b. The board may require any person operating under a general VPA permit to apply for and obtain an individual VPA permit. Interested persons may petition the board to take action under this subdivision. Cases where an individual VPA permit may be required include the following:
 - (1) Where the pollutant management activity is a significant contributor of pollution;
 - (2) Where the owner is not in compliance with the conditions of the general VPA permit;
 - (3) When a water quality management plan containing requirements applicable to the pollutant

management activity is approved; or

(4) When a permitted activity no longer meets the general VPA permit conditions.

c. Any owner operating under a general VPA permit may request to be excluded from the coverage of the general VPA permit by applying for an individual VPA permit.

d. When an individual VPA permit is issued to an owner the applicability of the general VPA permit to the individual permittee is automatically terminated on the effective date of the individual VPA permit.

e. When a general VPA permit is issued which applies to an owner already covered by an individual VPA permit, such owner may request exclusion from the provisions of the general VPA permit and subsequent coverage under an individual VPA permit.

f. A general VPA permit may be revoked as to an individual owner for any of the reasons set forth in 9VAC25-32-210 or subdivision 2 b of this section subject to appropriate opportunity for a hearing.

9VAC25-32-270. Control of disposal of pollutants into wells.

A. No right to dispose of pollutants into wells shall exist under this regulation, except as authorized pursuant to a VPA permit issued by the board.

B. Whenever an applicant for a VPA permit proposes to dispose of pollutants into a well or wells, the proposed disposal shall be prohibited, or specific terms and conditions shall be included in the VPA permit which shall control the proposed disposal in order to prevent the pollution of and protect all beneficial uses of state waters, protect the public health and welfare, and require compliance with all applicable water quality standards.

Part VII

Enforcement

9VAC25-32-280. Enforcement.

A. The board may enforce the provisions of this regulation by:

1. Issuing directives in accordance with the law;
2. Issuing special orders in accordance with the law;
3. Issuing emergency special orders in accordance with the law;
4. Seeking injunction, mandamus or other appropriate remedy as authorized by the law;
5. Seeking civil penalties under the law;

6. Seeking remedies under the law or under other laws including the common law.

B. The board encourages citizen participation in all its activities, including enforcement. In particular:

1. The board will investigate citizen complaints and provide written response to all signed, written complaints from citizens concerning matters within the board's purview;

2. The board will not oppose intervention in any civil enforcement action when such intervention is authorized by statute or Supreme Court rule, or in any administrative enforcement action when authorized by the board's Procedural Rule; and

3. At least 30 days prior to the final settlement of any civil enforcement action or the issuance of any consent special order, the board will publish public notice of such settlement or order in a newspaper of general circulation in the county, city or town in which the pollutant management activity is located, and in the Virginia Register of Regulations. This notice will identify the owner, specify the enforcement action to be taken and specify where a copy of the settlement or order can be obtained. Appeals will be public noticed in accordance with Procedural Rule No. 1 (9VAC25-230-10 et seq.). A consent special order is a special order issued without a public hearing and with the written consent of the affected owner. For the purpose of this chapter, an emergency special order is not a consent special order. The board shall consider all comments received during the comment period before taking final action.

C. When a VPA permit is amended solely to reflect a new owner, and the previous owner had been issued a consent special order that at the time of VPA permit amendment was still in full force and effect, a consent special order issued to the new owner does not have to go to public notice provided that:

1. The VPA permit amendment does not have to go to public notice, and

2. The terms of the new consent order are the same as issued to the previous owner.

D. Notwithstanding subdivision 3 of this subsection, a special order may be issued by agreement at a board meeting without further notice when a public hearing has been scheduled to issue a special order, to the affected owner, whether or not the public hearing is actually held.

Part VIII

Delegation of Authority; Transition

9VAC25-32-290. Delegation of authority.

The director may perform any act of the board provided under this regulation, except as limited by §62.1-44.14 of the Code of Virginia.

9VAC25-32-300. Transition.

Effective July 24, 1996, the following will occur:

1. All VPA applications received after that date will be processed in accordance with this regulation.
2. Any owner holding a No-Discharge Certificate will be notified of the deadline for applying for a VPA permit, unless this notification has already been made. All such notifications shall be completed by July 1, 1998. Upon notification that a VPA permit is necessary for the pollutant management activity authorized by the No-Discharge Certificate, the permittee shall have 180 days to apply for a VPA permit. If a VPA permit is required, the existing No-Discharge Certificate will remain in effect until the VPA permit is issued. Concurrent with the issuance of the VPA permit, the No-Discharge Certificate will be revoked subject to appropriate notice and opportunity for public hearing. Notwithstanding the foregoing, all No-Discharge Certificates which do not bear an expiration date shall terminate no later than July 1, 1999.
3. Existing VPA permits for sewage sludge use or disposal shall be terminated when the sewage sludge use or disposal is authorized by:
 1. A permit issued by the Department of Health; or
 2. A VPDES permit issued by the board.

FORMS

Virginia Pollution Abatement Permit Application, General Instructions, revised 10/95.

Virginia Pollution Abatement Permit Application, Form A, All Applicants, revised 10/95.

Virginia Pollution Abatement Permit Application, Form B, Animal Waste, revised 10/95.

Virginia Pollution Abatement Permit Application, Form C, Industrial Waste, revised 10/95.

Virginia Pollution Abatement Permit Application, Form D, Municipal Waste, revised 10/95.